

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT

Middlesex, ss.

Docket No. 03-2512

CROWN CASTLE ATLANTIC, LLC,
Plaintiff

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vs.

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GUY A. MCKAY and SHERYLL MCKAY,

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Defendants

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DEFENDANTS' OPPOSITION TO PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT

The Defendants, Guy A. McKay and Sheryll McKay (hereinafter referred to as the "McKays"), hereby oppose the Plaintiff, Crown Castle Atlantic, LLC's (hereinafter referred to as "Crown"), Motion for Summary Judgment. In support of their opposition, the McKays state that there are no genuine issues of material fact, but Crown is not entitled to judgment as a matter of law. The legal implications of the material facts are such that the McKays are entitled to judgment as a matter of law. As "summary judgment, when appropriate, may be rendered against the moving party," the McKays respectfully request this honorable court to not only deny Crown's motion for summary judgment, but enter summary judgment in favor of the McKays. Mass.R.Civ.P. 56(c).

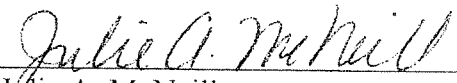
In support of the McKays' opposition, please see Defendant's Memorandum of Law filed herewith and incorporated by reference.

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Respectfully submitted,
Guy A. McKay and Sheryll McKay,
By their attorney:

Dated: 9-24-03


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